

REMARKS

Status of Claims:

Claims 1-3, 9-11 and 24-26 have been cancelled. Thus, claims 4-8, 12-23 and 27-31 remain for examination.

Rejection under First Paragraph of Sec. 112:

Claims 1, 3, 8, 9, 11, 16, 23, 24, 26 and 31 stand rejected under 35 U.S.C. § 112 as being non-enabled.

Applicant submits that “re-arrangement of network resources” is common sense to a person of ordinary skill in the art. The common and ordinary meaning of the words applies here. For instance, if a certain channel is full of traffic, an additional channel or channels is (are) assigned by a network operator. Such is an example of “re-arrangement of network resources”.

It is thus submitted that all of applicants claims fully comply with the provisions of 35 U.S.C. § 112.

Prior Art Rejections:

Claims 1-3, 9-11 and 24-26 stand rejected under 35 U.S.C. § 102 as anticipated by Agarwal. These claims have now been cancelled.

Claims 4-8, 12-17 and 27-31 stand rejected under 35 U.S.C. § 103 as obvious over Agarwal, Huang, Scrandis and Svedin.

Submission of Verified Translation of Priority Document:

Submitted herewith is a verified translation of applicant’s priority document. Submission of this translation removes the Huang and Scrandis references as applicable prior art. As such it is submitted that the PTO has not made out a *prima facie* case of obviousness

under the provisions of 35 U.S.C. § 103, and thus applicants claims are patentable over the prior art.

Allowed Claims:

Claims 18-23 were merely objected to and have now been placed in independent form. These claims are deemed to be allowable.

Conclusions:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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